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**Resolve, Directing the Department of Environmental Protection To Submit a Report and Recommendations Concerning Oil from Tar Sands, Coal from Mountaintop Removal Mining and Other High-polluting Energy Sources**

**Sec. 1 Review information and report. Resolved:** That the Department of Environmental Protection, with input from the Public Utilities Commission, the Governor's Office of Energy Independence and Security and other appropriate entities, shall review information and issue a report and recommendations on its findings concerning oil from tar sands and other high-polluting sources of oil and coal from mountaintop removal mining and other forms of coal mining in order to ensure that the State does as much as possible to reduce the environmental impacts and public health impacts caused by the generation and use of energy derived from these sources; and be it further

**Sec. 2 Coal from mountaintop removal mining and other coal mining operations. Resolved:** That in its review the department shall:

1. Collect information about the source and volume of coal burned to generate electricity within the New England electrical power grid and estimates concerning the amount of the coal-generated electricity used by consumers in the State on an annual basis;
2. Collect information about the environmental harm and public health impacts caused by the extraction, processing, transportation and use of coal; and
3. Make recommendations for regulation, taxation or voluntary measures that would reduce the use of electricity in the State generated from coal mined through mountaintop removal and other techniques with significant environmental and public health impacts; and be it further

**Sec. 3 Oil from tar sands, oil shale and coal gasification. Resolved:** That in its review the department shall:

1. Collect information about the amount and sources of liquid fuels used in the State derived from tar sands, oil shale and coal gasification and information about the transportation into the State or through the State of petroleum products that contain oil derived from tar sands, oil shale and coal gasification;
2. Collect information about the environmental harm and public health impacts caused by the extraction, processing and use of energy derived from tar sands, oil shale and coal gasification; and
3. Make recommendations for regulation, taxation or voluntary measures that would reduce the use in the State of petroleum products derived from tar sands, oil shale and coal gasification and the transportation into or through the State of petroleum products based on tar sands, oil shale and coal gasification; and be it further

**Sec. 4 Report date. Resolved:** That the Department of Environmental Protection shall submit its report with recommendations to the Joint Standing Committee on Natural Resources no later than January 10, 2010; and be it further

**Sec. 5 Disclosures required; rules. Resolved:** That the Department of Environmental Protection shall by rule establish annual disclosure requirements for all entities that sell electricity in Maine to the electricity ratepayers, if their product includes electricity generated by facilities that burn coal. The disclosure must be in a fact-sheet format that must be sent to all ratepayers and must include a description of pollution generated and impacts on health, wildlife and the environment caused by the extraction and combustion of coal. The disclosure must include a representative photograph of mining operations where the coal was extracted.

Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

## SUMMARY

This resolve directs the Department of Environmental Protection, with input from the Public Utilities Commission, the Governor's Office of Energy Independence and Security and other appropriate entities, to review information and issue a report and recommendations on its findings concerning oil from tar sands, oil shale and coal gasification and coal from mountaintop removal and other forms of mining operations in order to ensure that the State does as much as possible to reduce the environmental impacts caused by the generation and use of energy derived from these sources. In the report, the department is directed to collect information on liquid fuels derived from tar sands, oil shale and coal gasification and mountaintop removal and other forms of coal mining. The department shall submit its report and recommendations to the Legislature. This resolve also requires the department to establish public disclosure requirements for entities that sell electricity generated by facilities that burn coal.